

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 8/27/2020

FRANCES KALENDER, on behalf of himself
and all others similarly situated,
Plaintiff,

v.
FRANKLIN LIMESTONE COMPANY, LLC,

MEMORANDUM ENDORSED

CASE NO.: 1:20-cv-3396

Defendant.

/

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

IT IS HEREBY AGREED TO by the Plaintiff and Plaintiff's attorney, and the Defendant, Franklin Limestone Company, LLC, that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee, and no person not a party has an interest in the subject matter of the action, that the above entitled action against Defendant, Franklin Limestone Company, LLC, shall be and hereby is dismissed without prejudice and on the merits, without costs, or disbursements, or attorney's fees to any party pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, and that judgment of dismissal without prejudice may be entered in the above entitled action pursuant hereto.

Dated: August 26, 2020

Respectfully Submitted,

Plaintiff has voluntarily dismissed this case without prejudice under Fed. R. Civ. P. 41(a)(1)(A)(i). The Clerk of Court is therefore directed to adjourn all deadlines and close this case.

Dated: August 27, 2020
New York, New York



GREGORY H. WOODS
United States District Judge

/s/*David Paul Force*
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